

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

IH Property North Carolina,

Case No. 0:19-cv-341-TLW

PLAINTIFF

v.

Kimberly Bailey,

Order

DEFENDANT

Plaintiff IH Property North Carolina filed this eviction action against Defendant Kimberly Bailey in the Lancaster County Magistrate's Court for failure to pay rent. Defendant Bailey filed a notice of removal which purports to remove the case to the United States District Court for the District of South Carolina. The matter now comes before the Court for review of the Report and Recommendation (Report) filed by the magistrate judge to whom this case was assigned. ECF No. 9. In the Report, the magistrate judge recommends that the case be remanded *sua sponte* to the Lancaster County Magistrate's Court for lack of subject matter jurisdiction. Defendant did not file objections to the Report. This matter is now ripe for decision.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, the Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

The Court has carefully reviewed the Report. For the reasons stated by the magistrate judge, specifically that Defendant Kimberly Bailey failed to establish jurisdiction based on a federal question or diversity of citizenship, and no other source of jurisdiction is apparent from the pleadings, the Report is **ACCEPTED** and this matter is remanded to the Lancaster County Magistrate's Court.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Senior United States District Judge

December 11, 2019
Columbia, South Carolina